

**Introduced by Senator Roth**

January 5, 2016

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An act to amend Sections 5913 and 5919 of the Food and Agricultural Code, relating to agricultural pest control, and making an appropriation therefor.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 822, as introduced, Roth. Agricultural pest control: citrus disease prevention.

Existing law creates the California Citrus Pest and Disease Prevention Committee in the Department of Food and Agriculture to, among other things, develop a statewide citrus specific pest and disease work plan. Existing law provides for a monthly assessment to be paid by producers, as defined, which are deposited in the Citrus Disease Management Account in the Department of Food and Agriculture Fund. Moneys in the Citrus Disease Management Account is available upon appropriation by the Legislature for specified activities relating to citrus disease prevention.

This bill would appropriate \$5,000,000 from the General Fund to the Citrus Disease Management Account in the Department of Food and Agriculture Fund, and would make those funds available for expenditure by the department, without regard to fiscal year, for the purpose of combating citrus disease or its vectors.

Existing law requires producers in the citrus fruit industry to pay a monthly assessment not exceeding \$0.09 per carton of citrus fruit, to be used for citrus disease management and pest control activities, which are deposited in the Citrus Disease Management Account, except as specified.

This bill would increase the maximum amount of the monthly assessment to \$0.12 per carton of citrus fruit.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.

State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 5913 of the Food and Agricultural Code  
2 is amended to read:

3 5913. (a) There is hereby created the Citrus Disease  
4 Management Account in the Department of Food and Agriculture  
5 Fund.

6 (b) The Citrus Disease Management Account shall consist of  
7 money from federal, industry, and other non-General Fund sources.  
8 Money from federal, industry, and other non-General Fund sources  
9 shall be available upon appropriation by the Legislature for the  
10 sole purpose of combating citrus specific pests, diseases, and their  
11 vectors.

12 (c) *Notwithstanding subdivision (b), the sum of five million*  
13 *dollars (\$5,000,000) is hereby appropriated from the General*  
14 *Fund to the Citrus Disease Management Account in the*  
15 *Department of Food and Agriculture Fund, and shall be made*  
16 *available for expenditure by the department, without regard to*  
17 *fiscal year, for the purpose of combating citrus disease or its*  
18 *vectors.*

19 SEC. 2. Section 5919 of the Food and Agricultural Code is  
20 amended to read:

21 5919. (a) During the first marketing season, beginning  
22 February 1, 2010, and ending September 30, 2010, the monthly  
23 assessment to be paid by producers shall be one cent (\$0.01) per  
24 carton. Thereafter, in addition to any other assessments, fees, or  
25 charges that may be required pursuant to this code, producers shall  
26 pay a monthly assessment established by the committee that shall  
27 not exceed ~~nine~~ *twelve* cents ~~(\$0.09)~~ *(\$0.12)* per carton. The  
28 assessment shall be:

29 (1) Based on the number of 40-pound carton equivalents  
30 produced.

31 (2) Collected from the producer by the first handler. If a  
32 producer prepares the citrus fruit for market, the producer shall be  
33 deemed the handler.

1 (3) Remitted to the department by the first handler, along with  
2 an assessment report, at the end of each month during the marketing  
3 season.

4 (4) Deposited in the Citrus Disease Management Account in  
5 the Department of Food and Agriculture Fund or, upon the  
6 recommendation of the committee, deposited in accordance with  
7 Section 227 or Article 2.5 (commencing with Section 230) of  
8 Chapter 2 of Part 1 of Division 1. The use of the funds deposited  
9 in the Citrus Disease Management Account shall be limited to the  
10 activities authorized by this article.

11 (b) A producer producing less than 750 40-pound carton  
12 equivalents shall not be required to remit the assessment provided  
13 in subdivision (a).

14 (c) The committee may recommend to the secretary an  
15 assessment less than the amount specified in subdivision (a) or no  
16 assessment if no disease prevention program is necessary or if  
17 there is sufficient reserve to operate the program, except as  
18 provided in Section 5930.